

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

NASSAU MARITIME HOLDINGS
DESIGNATED ACTIVITY COMPANY
Plaintiff

VERSUS

M/V PACIFIC SKY, her engines, tackle,
appurtenances, etc., *in rem*, and
PACIFIC SKY NAVIGATION LTD. *in*
personam
Defendants

CIVIL ACTION

NO. 2:20-CV-00355

JUDGE JAMES D. CAIN, JR.

SECOND MOTION FOR INTERLOCUTORY SALE OF VESSEL

NOW COMES plaintiff Nassau Maritime Holdings Designated Activity Company (“Nassau Maritime”), through undersigned counsel, to request an Order directing the interlocutory sale of the M/V PACIFIC SKY (the “Vessel”) pursuant to Rule E(9) of the Supplemental Rules for Admiralty or Maritime Claims & Asset Forfeiture Actions of the Federal Rules of Civil Procedure.

All grounds for interlocutory sale under Rule E(9) are present here – the vessel is subject to deterioration or decay as it sits idle under arrest; the costs associated with maintaining the Vessel during her arrest are unnecessarily reducing the amount of money that will be available to satisfy the judgment; and, there has been an unreasonable delay in obtaining the release of the property. Nassau Maritime respectfully submits that its motion should be granted for these reasons, as more fully explained in its accompanying Memorandum in Support.

Respectfully submitted,

PHELPS DUNBAR LLP

BY: /s/Kevin J. LaVie

Kevin LaVie (#14125)

Email: kevin.lavie@phelps.com

Adam Davis (#35740)

Email: adam.davis@phelps.com

Canal Place

365 Canal Street • Suite 2000

New Orleans, Louisiana 70130-6534

Telephone: (504) 566-1311

Facsimile: (504) 568-9130

-and-

Marc G. Matthews (admitted *pro hac*
vice)

Texas Bar No. 24055921

Email: marc.matthews@phelps.com

500 Dallas Street, Suite 1300

Houston, Texas 77002

Telephone: (713) 626-1386

Facsimile: (713) 626-1388

**ATTORNEYS FOR PLAINTIFF
NASSAU MARITIME HOLDINGS
DESIGNATED ACTIVITY
COMPANY**